

Project No: 8176
Project Name: Milpitas Senior Center

DRAFT

AMENDMENT NO. 2 TO AGREEMENT
FOR CONSULTING SERVICES

This Amendment is entered into this 19th day of June, 2007, by and between respectively the City of Milpitas and the Milpitas Redevelopment Agency (hereafter referred to for convenience only as "CITY"), and Noll and Tam Architects (hereafter referred to as "CONSULTANT").

RECITALS

WHEREAS, the parties entered into an Agreement for professional services for Milpitas Senior Center, Project No. 8176, on August 1, 2006; and

WHEREAS, the parties executed an Amendment to the Agreement for professional services for Milpitas Senior Center, Project No. 8176, on December 19, 2006; and

WHEREAS, the parties desire to further amend the Agreement to allow CONSULTANT to provide additional professional planning and design services for Milpitas Senior Center relating to the design of a new wing to expand the size of the existing building.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties agree to amend the Agreement as follows:

1. Section 1, entitled "Services", is amended by adding Exhibit "AM2-A", which is attached hereto and incorporated by reference herein.
2. Section 2, entitled "Compensation", is amended to add Exhibit "AM2-A", which is attached hereto and incorporated by reference herein.
3. Section 2 is amended by adding the following language to the end of the second sentence of the first paragraph:

"... The compensation for the further services set forth in Exhibit AM2-A is a not-to-exceed amount. The total maximum amount of compensation to be added to the Agreement to complete tasks outlined in Exhibit AM2-A shall be \$289,000.00."

4. Section 2.4, entitled "Additional Services", is amended by adding the following language immediately after the first sentence:

"An additional allowance of \$25,000 is hereby added to the contract and may not be used without express advance written authorization by the City for additional services."

5. All other provisions of the Agreement shall remain in full force and effect.

This Amendment is executed as of the date written above.

APPROVED BY:

CITY OF MILPITAS/MILPITAS
REDEVELOPMENT AGENCY

CONSULTANT
Noll and Tam Architects

Thomas C. Williams
City Manager/Executive Director

Janet Tam, Principal/President

Steven T. Mattas
City Attorney/Agency Counsel as to Form

Greg Armendariz
Public Works Director/City Engineer as to Content

ATTESTED BY:

Mary Lavelle
City Clerk/Agency Secretary

EXHIBIT AM2-A

SCOPE OF WORK

June 19, 2007

The Senior Center project scope has expanded to include more extensive renovation to the existing 18,500 square foot Milpitas Community Library building and a new approximately 3,500 square foot addition that will expand the existing building. The new expanded Senior Center will total approximately 22,000sf. The Term of Services shall remain the same as outlined in the primary agreement, Exhibit A, with the following additional scope.

Tasks 3-6: Task 3, Schematic Design, Task 4, Design Development, Task 5, Construction Documents, and Task 6, Bidding and Award.

AM2-1 Provide structural design of a new approximately 3,500 square foot addition including slab on grade with drilled piers and grade beams under load bearing walls and columns and a wood framed roof structure similar to the existing structure. The new structure will be seismically tied to the modified existing structure with additional upgrades to common framing wall at the interface between the new and existing structures.

AM2-2 Design of the approximately 3,500 square foot addition will also include complete architectural, mechanical, electrical, and plumbing systems, to be integral with the building renovation. Architectural design of the exterior façade may include two to three options for City's review. One option will be selected at the end of Schematic Design to be developed in subsequent Tasks 4-6.

AM2-3. Renovation shall include a required seismic upgrade of the existing building to meet current building code requirements. The work includes modifications throughout the existing building including redesign and new construction of the "rear" section of existing building along the existing window wall facing the civic center meadow, with new structural framing and associated new drilled pier footings.

AM2-4 Provide complete new architectural, mechanical, electrical, and plumbing systems for the redesign and new construction of the "rear" section of the existing building. Architectural design of exterior façade may include two to three options for City's review. One option will be selected at the end of Schematic Design to be developed in subsequent Tasks 4-6.

AM2-5 Renovation of the existing 18,500 square foot building may include additional cosmetic exterior improvements to the architectural character for greater compatibility with the Civic Center setting, as the budget permits. Design options will be studied in Task 3, and may be included in subsequent tasks as consistent with the construction budget.

AM2-6 Design of building addition will involve additional site work (civil and landscape) and detailing including, but not limited to, resolution and accommodation of existing site conditions and integration with the Veteran's Memorial. There will be an expanded landscape treatment around the new addition, enlarged outdoor patio and paved walkway connections to the Community Center and with the rest of the Civic Center site.

AM2-7 Provide additional site circulation improvements including more direct vehicular access to the building entry, modification of existing front plaza to allow for drive-up access to entry and convenient drop off, reconfiguration of library parking as required for new site work, rebuilding of the entry portion of the existing building with integrated, enhanced covered vehicular drop-off feature, and associated site and landscape work.

AM2-8 Provide additional Fixtures, Furniture and Equipment design and selection for the expanded approximately 3,500 sf building area, which includes a larger Community Hall with seating for approximately.

Expanded services will provided by the following consultants and subconsultants:

Noll & Tam, architecture and interior design
TSMG, programming and senior needs
Nolte Engineering, civil engineering
DASSE Design, structural engineering
Gutmann & Blaevoet, mechanical, plumbing, fire protection
O'Mahoney & Myer, electrical engineering, telecommunications, lighting
Smith, Fause & McDonald, audio visual facilities, security
Royston Hanamoto Alley & Abey, landscape architecture
Oppenheim Lewis, cost estimating
Pacific Geotechnical Engineering, geotechnical engineering
The Marshall Associates, food service design
Patricia Bruning Design, signage
Walsh-Norris & Associates, acoustics

Services shall be consistent with the scope defined in Exhibit A of the Agreement executed August 1, 2006 and Amendment No. 1 executed December 19, 2006, except as modified herein.

EXHIBIT AM2-A

FEE PROPOSAL for SCOPE MODIFICATIONS

Task 1, Investigation of Existing Conditions
No change.

Task 2, Building Program and Conceptual Design
No change.

Task 3, Schematic Design
Fee estimate for expanded scope: \$76,000
New total not-to-exceed fee for Task 3: \$184,100

Task 4, Design Development
Fee estimate for expanded scope: \$93,300
New total not-to-exceed fee for Task 3: \$285,760

Task 5, Construction Documents
Fee estimate for expanded scope: \$113,000
New total not-to-exceed fee for Task 5: \$495,940

Task 6, Bidding and Award
Fee estimate for expanded scope: \$6,700
New total not-to-exceed fee for Task 6: \$28,210